

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

MG-1283

★ FEB 13 2008 ★  
JP

UNITED STATES OF AMERICA, EX REL.  
JOSEPH PIACENTILE,

**FILED UNDER SEAL**

Plaintiff,

-against-

Civil Action No.  
CV 03-5143

NEW YORK HYPERBARIC & WOUND CARE,  
CENTERS, LLC, KEITH G. GREENBERG,  
MONTEFIORE MEDICAL CENTER, FRANK J.  
VEITH, M.D., LONG BEACH MEDICAL  
CENTER, PASSAIC BETH ISRAEL HOSPITAL,  
BETH ISRAEL MEDICAL CENTER, and  
NEW YORK WESTCHESTER SQUARE  
MEDICAL CENTER,

(Gleeson, J.)  
(Gold, M.J.)

Defendants.

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The United States having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), and the Relator having voluntarily dismissed this action without prejudice, the Court rules as follows:

1. The Complaint, the Government's Notice of Election to Decline Intervention, this Order and the Stipulation of Dismissal shall be unsealed. All other contents of the Court's file in this action shall remain under seal and not be made public or served upon the defendants.
2. In the event that the Relator seeks to commence a new action based upon the same facts and circumstances as those alleged in the complaint herein, the Relator shall follow the procedures set forth in the False Claims Act, 31 U.S.C. § 3730(b)(2) and the United States

shall have the right to intervene, under the same terms and conditions as set forth in that section.

SO ORDERED,

This 7<sup>th</sup> day of February, 2008

s/John Gleeson

JOHN GLEESON  
United States District Judge